

ORDINANCE NS- 2343

AN ORDINANCE AMENDING BEND CODE SECTIONS 6.20.005 AND 6.30.005 TO ALLOW VEHICLE PARKING ON PUBLIC RIGHT-OF-WAY FOR THREE BUSINESS DAYS

Findings:

- A. The City of Bend continues to experience economic growth and associated increases in traffic, vehicles, and demand for parking in the public right of way.
- B. Currently, provisions in Chapters 6.20 and 6.30 of the Bend Municipal Code allow vehicles to be parked on public right-of-way for up to five days.
- C. The City Council has received an increasing number of comments from numerous residents concerned about the lack of parking turnover and other issues they associate with the City's parking regulations.
- D. The Bend Police Department is in the process of adjusting its internal procedures to shorten the interval between the time a vehicle on public right-of-way is posted as subject to a tow and the actual towing of the vehicle. The adjustment is intended to increase parking turnover, and to respond to concerns from residents about the amount of time that passes between a report of a potential parking violation and vehicle towing.
- E. In addition to the Bend Police Department's adjustment to its process, the Council expressed interest in reducing the amount of time vehicles may be legally parked on the public right-of-way from five days to a shorter period.
- F. The Council concludes that a parking limit of three business days strikes a reasonable balance between the desire to increase parking turnover, enforcement resources, and allowing vehicle owners a reasonable amount of time in which to park their vehicles in the same location on the public right-of-way.
- G. The proposed code amendments are intended to apply equally and fairly throughout the City. Although much of the citizen input recently received by the Council concerned a particular area near downtown Bend, similar issues can exist in other areas of the City. The provisions of the City's code amended by this ordinance apply city-wide, and are not limited to a particular area or neighborhood. The Bend Police Department will continue to use a complaint-driven process for enforcement, which may

also be dependent on prioritizing and balancing the best use of available resources.

- H. This ordinance does not establish any residential or business parking permit programs or districts, nor does it establish or amend any hourly parking limits. Those concepts are under consideration for particular areas through either future code amendments, or adoption of administrative policies, whichever is appropriate.

Based on these findings, the City of Bend ordains as follows:


Section 1. Sections 6.20.005 and 6.30.005 of the Bend Code are amended as shown on Exhibit A, attached.

Section 2. All other provisions of the Bend Code remain unchanged and in full effect.

First Reading: June 5, 2019

Second reading and adoption by roll call vote: June 19, 2019

YES:	Sally Russell, Mayor	NO:	Barb Campbell
	Bruce Abernethy		Bill Moseley
	Justin Livingston		
	Gena Goodman-Campbell		
	Chris Piper		


Sally Russell, Mayor

Attest:


Robyn Christie, City Recorder

Approved as to form:

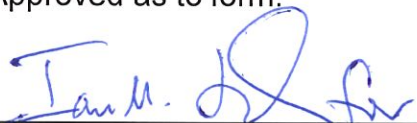

Mary A. Winters, City Attorney

EXHIBIT A to Ordinance NS- []

6.20.005 Prohibited Parking, Stopping or Standing on Public Right-of-Way.

No person shall stop, stand or park a vehicle on public right-of-way under any of the following circumstances, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, ~~under any of the following circumstances:~~

- A. A truck in excess of 12,000 pounds between the hours of 9:00 p.m. and 7:00 a.m. in front of or adjacent to a residence.
- B. A vehicle in or blocking an alley, except for a stop of not more than 15 consecutive minutes for loading or unloading persons or materials and must display emergency flashers.
- C. A vehicle in violation of a sign placed by the City of Bend.
- D. Adjacent to a curb painted yellow by the City of Bend to designate no parking at any time.
- E. Adjacent to a curb painted green by the City of Bend to designate a loading zone unless involved in the act of loading.
- F. Adjacent to a curb painted red by the City of Bend to designate a fire lane or special security area.
- G. Parking the vehicle for the primary purpose of displaying the vehicle for sale.
- H. Repairing or servicing the vehicle, except repairs necessitated by an emergency.
- I. Selling merchandise from the vehicle, except when authorized by the City.
- J. ~~Storage~~Parking the vehicle for more than ~~five~~three ~~business~~business calendar days.
- K. Parking of a vehicle with a vehicle registration that has been expired for more than 30 days.
- L. Adjacent to or within 10 feet of a fire hydrant.
- M. On a sidewalk.
- N. Any other violation of State law. [Ord. NS-2140, 2010]

6.30.005 Removal (Towing) of Illegally Parked Vehicles.

A. The City may remove any illegally parked vehicle that is unattended or that is not removed after a request is made to the owner or person in charge of the vehicle.

B. The City shall not remove any vehicle that was originally legally parked unless:

1. The vehicle has remained illegally parked for a period three times longer than the time originally allowed for the vehicle to be parked;
2. Removal is needed for street cleaning, snow removal or maintenance;
3. The vehicle is obstructing traffic;
4. The vehicle has been parked for more than ~~three business~~ five days;
5. The vehicle is parked on a street that has been closed or scheduled for closure;
6. The vehicle has outstanding parking violations that are due and remain unpaid. [Ord. NS-2276, 2016; Ord. NS-2140, 2010]